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SENATE BILL 613

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

MARY JANE M GARCIA

AN ACT

RELATING TO THE LEGAL PROFESSION; AUTHORIZING THE NEW MEXICO STATE POLICE TO OBTAIN FINGERPRINTS OF APPLICANTS TO THE STATE BAR FROM THE FEDERAL BUREAU OF INVESTIGATION; AUTHORIZING THE NEW MEXICO STATE POLICE TO PROVIDE THE NEW MEXICO BOARD OF BAR EXAMINERS WITH CRIMINAL HISTORY RECORDS OF APPLICANTS; AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 29-3-1 NMSA 1978 (being Laws 1935, Chapter 149, Section 4, as amended) is amended to read:

"29-3-1. NEW MEXICO STATE POLICE--IDENTIFICATION AND INFORMATION.--

A. It ~~shall be~~ is the duty of the New Mexico state police to install and maintain complete systems for the identification of criminals, including the fingerprint system

Underscored material = new
[bracketed material] = delete

1 and the modus operandi system. The New Mexico state police
2 shall obtain, from whatever source procurable, and shall file
3 and preserve for record, [~~such~~] plates, photographs, outline
4 pictures, fingerprints, measurements, descriptions, modus
5 operandi statements and such other information [~~about,~~
6 ~~concerning~~ and] relating to any and all persons who have been or
7 who shall [~~hereafter~~] be convicted of a felony or who shall
8 attempt to commit a felony within this state or who are well-
9 known and habitual criminals or who have been convicted of any
10 of the following felonies or misdemeanors:

- 11 (1) illegally carrying, concealing or
12 possessing a pistol or any other dangerous weapon;
- 13 (2) buying or receiving stolen property;
- 14 (3) unlawful entry of a building;
- 15 (4) escaping or aiding an escape from prison;
- 16 (5) making or possessing a fraudulent or forged
17 check or draft;
- 18 (6) petit larceny; and
- 19 (7) unlawfully possessing or distributing
20 habit-forming narcotic drugs.

21 B. The New Mexico state police may also obtain like
22 information concerning persons who have been convicted of
23 violating any of the military, naval or criminal laws of the
24 United States or who have been convicted of a crime in any other
25 state, country, district or province [~~which~~] that, if committed

1 within this state, would be a felony.

2 C. The New Mexico state police may obtain, at the
3 applicant's expense, fingerprints of applicants to the New
4 Mexico state bar from the federal bureau of investigation
5 pursuant to the provisions of Public Law 92-544 or any other
6 applicable federal law. The New Mexico state police may provide
7 the New Mexico board of bar examiners with criminal history
8 records for applicants to the New Mexico state bar.

9 [~~C.~~] D. The New Mexico state police shall make a
10 complete and systematic record and index of all information
11 obtained for the purpose of providing a convenient and
12 expeditious method of consultation and comparison. "

1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

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6 March 15, 1997

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8 Mr. President:

9
10 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
11 referred

12
13 SENATE BILL 613

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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, and thence referred to the
17 JUDICIARY COMMITTEE.

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20 Respectfully submitted,

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25 Shannon Robinson, Chairman

Adopted _____ Not Adopted _____

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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Smith, Robinson, Garcia, Adair

Absent: None

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 21, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 613

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Thomas P. Foy, Chairman

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Rios

Absent: None

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Underscored material = new
[bracketed material] = delete